

Grant County Planning Commission

March 22nd, 2004

The March 22 2004 regular meeting of the Planning Commission was called to order by John Lawrence at 7:00 p.m.

Those in attendance: John Lawrence, Bill Marksberry, Vernon Webster, Marlon Kinsey, Marvin Faulkner, Brooke Rider, Nancy Duley, Dan Scroggins, Nick Kinman, Howard Brewer, William Covington, Engineer: Ray Erpenbeck, Administrator: Jonathan Britt, Secretary: Becky Ruholl

There was a quorum present.

ITEM 1. FEBRUARY MINUTES

Vernon Webster stated that Item #5 should state that the abstained vote goes with the majority.

Vernon Webster made a motion to approve the meeting minutes for February with the correction to Item #5, William Covington seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Howard Brewer said that he had spoken with some property owners in Dry Ridge and they had not been notified of the Comprehensive Plan change that took place at the last meeting. He asked if it was the City's responsibility to notify those people.

Jonathan said that the zoning of the property was not changed; it was the Future Land Use Map that was changed. He said that it is not required that each owner be contacted for a Comprehensive Plan update, only that a notice be placed in the local newspaper to advertise the public hearing.

ITEM 2. FEBRUARY FINANCIAL REPORT

William Covington made a motion to approve the corrected February financial report, Marvin Faulkner seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 3. ADMINISTRATORS REPORT

Jonathan stated that Dan Scroggins was the new representative from the County.

John Lawrence encouraged the Commission members to visit the office; he said that the office had recently expanded into the adjoining office.

ITEM 4: TEXT AMENDMENTS- CITY OF WILLIAMSTOWN

ARTICLE X: PUD PLANNED UNIT DEVELOPMENT ZONE

John Lawrence declared the public hearing open.

Doug Beckham said that he was directed by the City Council to request that the PUD zone be added to the City Zoning Ordinance. He said that the zone is similar to the one that was in the proposed County Ordinance but that there were some changes. The reason for the zone is to allow for development with a mixture of single family, multi family and neighborhood commercial. He said that the minimum size of the zone was 50 acres unless it was adjacent to an existing PUD. He said that the Council and the Developer that brought the request to the City felt that the minimum needed to be 50 acres.

Dan Scroggins asked why the City had determined that the acreage needed to be 50 acres.

Doug Beckham said that the City thought that was a good size to take advantage of the mixture of uses.

Dan Scroggins asked if there would be smaller developments that could benefit from this zone.

Doug Beckham said that there was not a lot of discussion about the number of acres; they felt that 50 acres was good for a minimum zone size.

John Lawrence asked what a recreational vehicle park was.

Doug Beckham said that it was an RV park.

John Lawrence asked if that definition should be added to the Ordinance.

Doug Beckham said that they could create a definition of what a Recreational Vehicle is.

John Lawrence asked if anyone wished to speak for or against the request.

John Lawrence declared the public hearing closed.

Bill Marksberry made a motion to approve the request, Howard Brewer seconded the motion.

Dan Scroggins stated that he was still concerned with the 50 acre minimum.

Jonathan said that a PUD zone is meant to encourage development on undeveloped tracts of land between residential areas and commercial areas and the 50 acre minimum hurts this scenario. He said that he would rather not have the 50 acres and the Commission can approve the amendment as it is or with the condition that the minimum acreage not be 50 acres.

Marlon Kinsey asked if there was a maximum number of acres.

Jonathan stated that there could be but it was not beneficial. He said that the only time the PUD is used on a very, very large tract is for a very large use which is unusual. He said that usually the zone is for 5 to 15 acre tracts.

Dan Scroggins asked if the Commission could ask that the acreage be amended or removed or is it just a yes or no answer.

Jonathan said that since there was a motion and a second, that the motion would have to be defeated and then a new motion made with a condition to remove the 50 acre requirement.

A hand vote was taken, Bill Marksberry: yes, Vernon Webster: yes, Marlon Kinsey: yes, Marvin Faulkner: yes :, Brooke Rider: yes, Nancy Duley: no, Dan Scroggins: no, Nick Kinman: yes, Howard Brewer: yes, William Covington: yes. Motion passes.

ARTICLE VIII

John Lawrence declared the public hearing open.

Doug Beckham said that this request was to add the PUD Zone to the list of zones.

John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

John Lawrence declared the public hearing closed.

Dan Scroggins made a motion to approve the request, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ARTICLE X: HIGHWAY COMMERCIAL

John Lawrence declared the public hearing open.

Doug Beckham said that this request was to add Garden/Greenhouses and self storage rental units to the Highway Commercial Zone and the statement that the site plan be approved by the Williamstown Zoning Administrator.

John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

John Lawrence declared the public hearing closed.

Vernon Webster asked why Bulk storage was still listed as a conditional use and not a permitted use since self storage units were being added to the permitted uses.

Jonathan said that normally bulk storage is a higher concentration and should be a conditional use so that the board of adjustments has more control over that use.

Bill Marksberry made a motion to approve the request, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 5: ZONE CHANGE - MARIE DEITZ

APPLICANT: Marie Deitz

GENERAL LOCATION: An approximate 1.8203 acre area located on the north side of Kyle Lane and +/- 200' east of U.S. 25

REQUEST: Agricultural - One (A-1) to Residential - One A (R-1 A)

John Lawrence declared the public hearing open and asked if all fees were paid and notices given. Staff replied that fees were paid and notices given.

Jerry Keith said that this property was 2 acres just below the Kenton County Grant County line. He said that years ago the 3 acres south of this property was rezoned to a Residential zone and this was all the property remaining and it was zoned A1. He said that there is an existing house on the property and they are requesting the change to residential so that the property owners can convey the property with the existing house.

John Lawrence asked if anyone wished to speak for or against the request.

Jason Deitz said that this is what the Grant County Deposit Bank had requested and that nothing was going to change on the property.

John Lawrence declared the public hearing closed.

Jonathan read the staff recommendation which was approval of the zone change request because the proposal is in compliance with the adopted comprehensive Plan. Findings in support of this recommendation are as follows: The roadway is sufficient enough to handle the additional traffic that would be generated by the proposed development and would not put additional burden on police and fire protection since there is an existing residence on the proposed tract.

Jonathan asked if this would separate the Grant County property from the Kenton County property.

Jerry Keith stated that it would.

Jonathan stated that the R1A zone had a minimum lot width at the building setback line of 150 feet and this property is only 128 feet wide. He said that the applicant will have to get the Dimensional Variance through the Board of Adjustments.

Marlon Kinsey asked if it should be a condition that the applicant get a dimensional Variance.

Jonathan stated that it was not necessary to make it a condition. He said that he would not be able to sign off on the plat until the Dimensional Variance was granted.

Nancy Duley made a motion to approve the request from Agricultural One to Residential One A based on the finding of fact that the request is in agreement with the Comprehensive Plan, Dan Scroggins seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 6: ZONE CHANGE - RUSSELL CUREE

APPLICANT: Russell W. Curee

GENERAL LOCATION: An approximate 3.075 acre area located on the east side of Vallandingham Road, approximately 1.4 miles south of Dry Ridge Mt. Zion Road

REQUEST: Agricultural - One (A-1) to Rural Residential (RR)

John Lawrence declared the public hearing open and asked if all fees were paid and notices given. Staff replied that fees were paid and notices given.

Mr. Curee said that the request was so that he could sell the back 13 acres of his land and keep the house and 3 acres. He said that the house is already on the property and he would not be adding anything to the property.

Jonathan asked if the remaining acreage was being sold to an adjoining property owner.

Mr. Curee said that was correct.

John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

John Lawrence declared the public hearing closed.

Vernon Webster asked if this was close to the property had they had recently discussed and had problems with the right-of-way.

Jonathan said that there were no problems with this property and they were able to dedicate the required right-of-way.

Jonathan read the staff recommendation, which was approval of the zone change request because the proposal is in compliance with the adopted Comprehensive Plan. Findings in support of this recommendation are as follows: 1. the roadway is sufficient enough to handle the additional traffic that would be generated by the proposed development and would not put additional burden on police and fire protection since there is an existing residence on the proposed tract. 2. the proposed zone change request would allow for adequate agricultural lands to be available (approximately 12 acres to be attached to adjoining agricultural lands).

Marvin Faulkner made a motion to approve the request based on the findings of fact in the staff report, Marlon Kinsey seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 7. CALDWELL ESTATES - PRELIMINARY PLAT

John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat.

Dan Scroggins asked where this was in relation to the apartments.

Kathryn Osborne said that it was directly across the street.

Marvin Kinsey asked if the cul-de-sac was large enough for a school bus to turn around.

Jonathan said that typically a school bus would not travel down a street that short, it would pick the children up at the beginning of the street.

Marlon Kinsey asked what the distance was from the cul-de-sac to the beginning of the street.

Jonathan said that it was about 150 feet.

Mrs. Osborne said that they designed the street this way so that there could be some green space.

William Covington asked what size houses would be built on the lots.

Mr. Osborne said that they were going to try and build the homes for older people and have wider hallways and ramps to the door.

Jonathan said that the minimum lot size is 9,000 square feet.

Dan Scroggins made a motion to approve the plat, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 8. KINGS CROSS ESTATES - PRELIMINARY PLAT

Craig Moore said that this was the property that a zone change was requested and was turned down by the City. He said that this plat was with the existing zoning of the property and shows 109 lots and 14 duplexes.

Dan Scroggins asked what the sizes of the lots were.

Craig Moore said that the average size was 1 acre and 2/10.

Dan Scroggins asked if the A1 lot size was a 5 acre minimum.

Craig Moore said that in the City of Williamstown it was 22,500 square feet.

John Lawrence asked if there was a deceleration lane.

Craig Moore said that there was.

John Lawrence asked if there was area for an exit to the rear of the property as the City of Williamstown wanted.

Craig Moore said that there was and there was also an area for a playground.

John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat.

Bill Marksberry asked if there was enough site distance at the entrance of the subdivision.

Craig Moore said that the entrance was not moved and read a letter stating that the site distance on the southeast side was 380 ft. and the regulations required 195 feet for a car turning right onto Cynthiana Street, he said that the site distance on the northeast side was 350 ft. and the regulations required 245 feet for a car turning left onto Cynthiana Street.

Marvin Faulkner asked what the minimum lot size in the A1 zone was.

Jonathan stated that it was 22,500 square feet.

Dan Scroggins asked if there were any additional requirements that were in the City's A1 zone that may not be shown on the plat.

Jonathan stated that A1 is typically not a development zone but the City does have a 22,500 square foot lot size which does allow for development. He said that there were no provisions in the zone except that the owner of the house must own the land.

William Covington asked what type of land the recreational areas were.

Jonathan said that it was somewhat useable land and could be used for walking or hiking trails.

Craig Moore said that there is a fairly flat piece of recreational land that is going to be used for a playground.

John Lawrence asked if this plat was in agreement the Comprehensive Plan.

Jonathan stated that the Commission was not dealing with the Comprehensive Plat on this issue.

Bill Marksberry said that some of the pie shaped lots did not look like they would be buildable.

Craig Moore said that all the lots were buildable.

Nick Kinman made a motion to approve the plat, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 9. MAPLE RIDGE - IMPROVEMENT PLAT

Logan Murphy said that this was Phase 1 of the subdivision and was 21 acres with 39 lots and was zoned Residential One and Residential Two. He said that the average lot size was 20,800 square feet and the smallest lot was 11,100 square feet.

John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat.

William Covington asked what the zoning line showing R1 and R2 was.

Logan Murphy said that it was so they could get the right square footage for the lots that the zone required. He said that whatever zone the house set in was what zone requirements they had to use.

William Covington asked if it was normal to divide a tract into two zones.

Jonathan said that it was not typical but this was an existing tract of land and existing property lines.

Vernon Webster said that normally there aren't that many flag lots in a subdivision.

Logan Murphy said that there were only 4 flag lots.

Jonathan said that flag lots can be a good thing or they can be a bad thing. He said that the Commission was going to have to look at them in each development and see how they were being used.

Logan Murphy said that they do not use flag lots just to up the number of lots. He said that usually there is undeveloped land that they must provide access to which creates the flag lots. He said that typically these lots are not built on but are purchased by adjoining lot owners for attachment to their property.

Dan Scroggins made a motion to approve the plat, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 10: CONVEYANCE PLATS - FEBRUARY

Nick Kinman made a motion to approve the list of conveyances for February, Marvin Faulkner seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 11: EXECUTIVE SESSION

Nancy Duley made a motion to go into executive session to discuss personnel, Dan Scroggins seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Vernon Webster made a motion to come out of executive session, Nancy Duley seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 12: OTHER BUSINESS

none

ITEM 13. ADJOURNMENT

Brooke Rider made a motion to adjourn, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

JOHN LAWRENCE, CHAIRMAN - DATE

NICK KINMAN, SECRETARY - DATE

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